

REMARKS/ARGUMENTS

The Examiner objected to the disclosure, paragraph [0035], on the grounds that the mentioned co-pending application was not identified by application number. Applicant accordingly submits a corrected paragraph [0035] to traverse the objection.

The Examiner provisionally rejected claims 1-14 and 14-18 on the grounds of nonstatutory obviousness-type double patenting in view of the co-pending, co-owned Application No. 10/673,285. Applicant accordingly submits a terminal disclaimer with this response, and the rejection is believed to be traversed.

The Examiner has rejected claims 1-4, 14, 15, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over the published application to Coupounas. Applicant respectfully traverses this rejection as follows.

The Examiner is incorrect that Coupounas' front arch is "vertical." Coupounas shows (all Figures) and teaches (e.g., paragraphs [0009], [0017]) only an outwardly-angled front arch or "first edge" 14. Only the second or rear, lower end 16 of the tent is allowed the option of a vertical or inward-angled orientation (paragraph [0017]). Coupounas accordingly teaches the opposite of applicant's claimed invention with the claimed vertical front arch and outward-angled rear arch. The purpose of Coupounas' outwardly-angled front door opening is to protect from falling rain while allowing the door to be opened for ventilation. See the discussion of the Coupounas publication in the Background section of the present application.

Coupounas also teaches front and rear awnings 36 and 38, but reliance on the outward angle of the front arch appears to result in front awning 36 being a small, minimalist piece of

fabric, necessary to be supplemented with a weather-protective first end sheet 28 (paragraph [0021], but given reference numeral 26 in the drawings) to prevent wind and rain from entering through the front insect-screen panel. The limited amount of protection afforded by front awning 36 is hinted at in paragraph [0024], which notes that “beneath the first awning 36 ... the top six (6”) inches are entirely mesh to maintain at least some ventilation at all times.”

Applicant uses a different approach to ventilation and weather protection at the front of his shelter, namely a vertical front arch, an unprotected (except for insect screening) vertical front door or opening, and an extensive front awning forming a structural extension of the arch yet remaining raised off the ground for ventilation. Applicant has amended claim 1 accordingly, and believes that the rejection of claim 1 and claims 15, 17 and 18 dependent thereon in view of the Coupounas publication is now traversed. The dependency of claim 14 has been changed from claim 1 to claim 5.

The Examiner objected to claims 5-13, but indicated that they would be allowable if rewritten in independent form. Applicant has done so, as suggested by the Examiner, and they are now believed to be in condition for allowance.

Applicant has added new dependent claims 19-22. Claims 19-21 are dependent on claim 5, and are directed to additional features of the guyline attachment or “pullout” point arrangement already indicated as being allowable by the Examiner. Support for these amendments can be found, for example, at paragraphs [0039] and [0042], and in Figs. 5, 5A, and 5B. New claim 22 is dependent on claim 1, and is directed to the side weather protection panels shown at 35 in Fig. 1, and described in paragraph [0044].

Applicant accordingly believes the application to be in condition for allowance. If the Examiner has any questions concerning this response, he is invited to contact applicant's undersigned attorney at 231-932-9752.

Respectfully submitted,

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